

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTIETH LEGISLATURE

**FORTY-SIXTH LEGISLATIVE DAY
THURSDAY, FEBRUARY 26, 2009**

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed 67 members present.

Absent and excused – Block, Patrick, Shirley. Total – 3.

Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Brigham Duncan, Page.

Approval of Journal

February 26, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Forty-fifth Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

February 25, 2009

Mr. Speaker:

I transmit herewith enrolled [S 1012](#) and [S 1019](#) for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled [S 1012](#) and [S 1019](#) and, when so signed, ordered them returned to the Senate.

February 25, 2009

Mr. Speaker:

I return herewith enrolled [H 9](#), [H 18](#), [H 28](#), [H 1](#), and [HJM 2](#) which have been signed by the President.

WOOD, Secretary

Enrolled [H 9](#), [H 18](#), [H 28](#), and [H 1](#) were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

Enrolled [HJM 2](#) was referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

Report of Standing Committees

February 26, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [H 195](#), [H 196](#), [H 197](#), [H 198](#), [H 199](#), and [H 200](#).

CLARK, Chairman

[H 195](#) was referred to the State Affairs Committee.

[H 196](#), [H 197](#), and [H 198](#) were referred to the Transportation and Defense Committee.

[H 199](#) was referred to the Education Committee.

[H 200](#) was referred to the Environment, Energy, and Technology Committee.

February 25, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled [HCR 10](#) to the Secretary of State at 1:49 p.m., as of this date, February 25, 2009.

CLARK, Chairman

February 25, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled [H 80](#) to the Governor at 1:55 p.m., as of this date, February 25, 2009.

CLARK, Chairman

February 25, 2009

Mr. Speaker:

We, your COMMITTEE ON RESOURCES AND CONSERVATION, report that we have had under consideration [HCR 18](#) and [HJM 1](#) and recommend that they do pass.

STEVENSON, Chairman

[HCR 18](#) and [HJM 1](#) were filed for second reading.

February 25, 2009

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration [H 41](#), [H 42](#), [H 75](#), [H 108](#), and [H 192](#) and recommend that they do pass.

BLACK, Chairman

[H 41](#), [H 42](#), [H 75](#), [H 108](#), and [H 192](#) were filed for second reading.

February 25, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration [H 87](#), [H 103](#), [H 104](#), and [H 105](#) and recommend that they do pass.

CLARK, Chairman

[H 87](#), [H 103](#), [H 104](#), and [H 105](#) were filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

**Introduction, First Reading, and Reference
of Bills and Joint Resolutions**

**HOUSE BILL NO. 201
BY STATE AFFAIRS COMMITTEE
AN ACT**

RELATING TO ELECTIONS; AMENDING SECTION 21-805, IDAHO CODE, TO PROVIDE DUTIES OF THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS IN AN ELECTION TO ESTABLISH A REGIONAL AIRPORT AUTHORITY, TO PROVIDE ELECTION DATES, TO PROVIDE FOR CANVASSING OF VOTES BY THE COUNTY BOARD OF CANVASSERS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 21-806, IDAHO CODE, TO PROVIDE FOR AN ELECTION OF A BOARD OF TRUSTEES OF A REGIONAL AIRPORT AUTHORITY; AMENDING SECTION 22-2721, IDAHO CODE, TO PROVIDE THAT THE COUNTY CLERK SHALL BE THE ELECTION OFFICIAL AND SHALL CONDUCT ALL ELECTIONS OF A SOIL CONSERVATION DISTRICT, TO PROVIDE FOR PAYMENT OF ELECTION EXPENSES BY THE COUNTY THAT CONDUCTS THE ELECTION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 22-2725, IDAHO CODE, TO PROVIDE THAT THE COUNTY CLERK SHALL SUPERVISE AN ELECTION TO DISCONTINUE A SOIL CONSERVATION DISTRICT AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 22-4301, IDAHO CODE, TO PROVIDE FOR ELECTIONS OF A WEATHER MODIFICATION DISTRICT TO BE CONDUCTED BY THE COUNTY CLERK ON SPECIFIED DATES AND TO PROVIDE FOUR YEAR TERMS FOR BOARD MEMBERS; AMENDING SECTION 23-917, IDAHO CODE, TO PROVIDE THAT A LOCAL OPTION REFERENDUM ELECTION SHALL BE CONDUCTED IN ACCORDANCE WITH THE PROVISIONS OF TITLE 34, IDAHO CODE, AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 23-918, IDAHO CODE, TO PROVIDE THAT THE COUNTY CLERK MUST FURNISH ELECTION BALLOTS AND TO PROVIDE THAT THE ELECTOR MUST INDICATE THE ELECTOR'S CHOICE ON THE BALLOT; AMENDING SECTION 23-919, IDAHO CODE, TO PROVIDE THAT THE COUNTY BOARD OF CANVASSERS SHALL CERTIFY ELECTION RESULTS AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 27-107, IDAHO CODE, TO PROVIDE THAT ELECTIONS OF A CEMETERY MAINTENANCE DISTRICT SHALL BE CONDUCTED IN ACCORDANCE WITH CHAPTERS 12 AND 14, TITLE 34, IDAHO CODE, AND TO PROVIDE DUTIES OF THE COUNTY CLERK; AMENDING SECTION 27-111, IDAHO CODE, TO PROVIDE THAT ELECTIONS FOR CEMETERY MAINTENANCE DISTRICT COMMISSIONERS SHALL BE CONDUCTED BY THE COUNTY CLERK, TO PROVIDE FOR TRANSITION OF TERMS FROM EVEN-NUMBERED YEARS TO ODD-NUMBERED YEARS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 31-402, IDAHO CODE, TO PROVIDE THE DATE THAT AN ELECTION TO CONSOLIDATE COUNTIES SHALL BE HELD; AMENDING SECTION 31-403, IDAHO CODE, TO PROVIDE THAT THE CONTENT OF A PETITION TO HOLD AN ELECTION

TO CONSOLIDATE COUNTIES SHALL INDICATE A CERTAIN DATE; AMENDING SECTION 31-407, IDAHO CODE, TO PROVIDE DUTIES OF THE COUNTY CLERK IN AN ELECTION TO CONSOLIDATE COUNTIES AND TO PROVIDE FOR APPLICATION OF LAW; AMENDING SECTION 31-408, IDAHO CODE, TO PROVIDE DUTIES OF THE COUNTY CLERK FOR PREPARATION AND FORM OF BALLOTS; AMENDING CHAPTER 8, TITLE 31, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 31-809A, IDAHO CODE, TO PROVIDE FOR THE CREATION OF A COUNTY ELECTION FUND IN EACH COUNTY AND TO PROVIDE FOR WHAT MONEYS IN THE FUND MAY BE USED; AMENDING SECTION 31-1406, IDAHO CODE, TO REVISE PROCEDURES FOR ELECTION OF DIRECTORS IN A FIRE PROTECTION DISTRICT; AMENDING SECTION 31-1410, IDAHO CODE, TO PROVIDE FOR ELECTION OF FIRE PROTECTION DISTRICT COMMISSIONERS IN ODD-NUMBERED YEARS, TO PROVIDE FOR TRANSITION OF TERMS TO ELECTIONS IN ODD-NUMBERED YEARS, TO PROVIDE DUTIES OF THE COUNTY CLERK AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 31-4306, IDAHO CODE, TO REVISE PROCEDURES FOR ELECTION OF RECREATION DISTRICT DIRECTORS; AMENDING SECTION 31-4323, IDAHO CODE, TO PROVIDE THAT RECREATION DISTRICT ELECTIONS ARE CONDUCTED IN ACCORDANCE WITH TITLE 34, IDAHO CODE, TO PROVIDE DUTIES OF THE COUNTY CLERK AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 31-4325, IDAHO CODE, TO PROVIDE THAT ELECTIONS FOR PROPOSED INDEBTEDNESS OF A RECREATION DISTRICT SHALL BE CONDUCTED BY THE COUNTY CLERK; AMENDING SECTION 31-4510, IDAHO CODE, TO PROVIDE THAT THE ELECTION SHALL BE CONDUCTED BY THE COUNTY CLERK IN ACCORDANCE WITH TITLE 34, IDAHO CODE; AMENDING SECTION 31-4701, IDAHO CODE, TO PROVIDE DUTIES OF THE COUNTY CLERK IN COUNTY MUSEUM BOARD ELECTIONS IN ACCORDANCE WITH TITLE 34, IDAHO CODE, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-308, IDAHO CODE, TO PROVIDE THE DATES THAT SCHOOL DISTRICT ELECTIONS TO EXCISE AND ANNEX TERRITORY SHALL BE HELD AND TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 33-311, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO REVISE HOW CONSOLIDATED ELECTIONS ARE CONDUCTED; AMENDING SECTION 33-312, IDAHO CODE, TO PROVIDE THAT AN ELECTION TO DIVIDE A SCHOOL DISTRICT SHALL BE HELD ON PROVIDED DATES AND CONDUCTED ACCORDING TO TITLE 34, IDAHO CODE, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-313, IDAHO CODE, TO REQUIRE SUBMISSION TO THE COUNTY CLERK OF CERTAIN INFORMATION UPON APPROVAL BY THE STATE BOARD OF EDUCATION TO CHANGE TRUSTEE ZONES, TO DELETE REFERENCE TO THE LENGTH OF TERM OF OFFICE FOR MEMBERS OF A SCHOOL BOARD OF TRUSTEES AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 33-317, IDAHO CODE, TO PROVIDE THAT ELECTIONS OF COOPERATIVE SERVICE AGENCIES SHALL BE HELD ON SPECIFIED DATES AND CONDUCTED PURSUANT TO SECTION 34-106, IDAHO CODE; AMENDING SECTION 33-351, IDAHO CODE, TO PROVIDE THAT ELECTIONS TO CREATE SCHOOL SUBDISTRICTS SHALL BE HELD

ON SPECIFIED DATES AND CONDUCTED PURSUANT TO SECTION 34-106, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 33-354, IDAHO CODE, TO REVISE HOW SCHOOL BOND ELECTIONS ARE CONDUCTED, TO MAKE TECHNICAL CORRECTIONS AND TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 33-401, IDAHO CODE, TO REVISE LEGISLATIVE INTENT REGARDING SCHOOL ELECTIONS; AMENDING SECTION 33-402, IDAHO CODE, TO REVISE NOTICE REQUIREMENTS REGARDING SCHOOL ELECTIONS; REPEALING SECTIONS 33-403, 33-403A, 33-403B AND 33-403C, IDAHO CODE, RELATING TO CONDUCTING SCHOOL ELECTIONS; AMENDING SECTION 33-404, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES AND TO DELETE OBSOLETE LANGUAGE; AMENDING SECTION 33-405, IDAHO CODE, TO DELETE OBSOLETE LANGUAGE; REPEALING SECTIONS 33-405A, 33-405B, 33-406, 33-406A, 33-407, 33-408, 33-409, 33-410, 33-411, 33-412, 33-413, 33-414, 33-415, 33-416, 33-417, 33-418, 33-419, 33-420, 33-421, 33-422, 33-423, 33-424, 33-428, 33-429, 33-430, 33-431, 33-432, 33-433, 33-434, 33-435, 33-436, 33-437, 33-438, 33-439, 33-440, 33-441 AND 33-442, IDAHO CODE, RELATING TO SCHOOL DISTRICT ELECTIONS AS CONDUCTED BY THE SCHOOL DISTRICT; AMENDING SECTION 33-501, IDAHO CODE, TO INCREASE THE TERMS OF SCHOOL DISTRICT BOARDS OF TRUSTEE MEMBERS FROM THREE YEARS TO FOUR YEARS EFFECTIVE AT TIMES AS PROVIDED; REPEALING SECTIONS 33-502A, 33-502C AND 33-502D, IDAHO CODE, RELATING TO CANDIDATES FOR SCHOOL DISTRICT BOARDS OF TRUSTEES; AMENDING SECTION 33-502B, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO REVISE PROCEDURES; AMENDING SECTION 33-503, IDAHO CODE, TO PROVIDE FOR ELECTION OF SCHOOL DISTRICT BOARDS OF TRUSTEES IN ODD-NUMBERED YEARS ON THE THIRD TUESDAY IN MAY IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 14, TITLE 34, IDAHO CODE; AMENDING CHAPTER 5, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-503A, IDAHO CODE, TO PROVIDE FOR THE TRANSITION OF SCHOOL TRUSTEE TERMS FROM THREE YEARS TO FOUR YEARS; AMENDING SECTION 33-504, IDAHO CODE, TO PROVIDE FOR APPOINTMENT TO FILL A VACANCY ON A SCHOOL DISTRICT BOARD OF TRUSTEES AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 33-505, IDAHO CODE, TO PROVIDE FOR APPOINTMENT OR SELECTION OF A SCHOOL DISTRICT BOARD OF TRUSTEES IN A NEWLY CREATED SCHOOL DISTRICT, TO PROVIDE FOR TERMS OF FOUR YEARS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 33-601, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 33-802, IDAHO CODE, TO PROVIDE THAT CERTAIN SCHOOL LEVY ELECTIONS ARE HELD ON DATES AUTHORIZED IN SECTION 34-106, IDAHO CODE; AMENDING SECTION 33-803, IDAHO CODE, TO PROVIDE THAT A TAX LEVY ELECTION FOR EDUCATION OF CHILDREN OF MIGRATORY FARM WORKERS IS CONDUCTED AS PROVIDED IN TITLE 34, IDAHO CODE, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-804, IDAHO CODE, TO PROVIDE THAT A SCHOOL PLANT FACILITIES RESERVE FUND LEVY IS HELD ON A DATE AUTHORIZED IN SECTION 34-106, IDAHO

CODE, AND IS CONDUCTED AS PROVIDED IN TITLE 34, IDAHO CODE; AMENDING SECTIONS 33-1103 AND 33-1510, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 33-2106, IDAHO CODE, TO PROVIDE THAT ELECTIONS OF TRUSTEES OF COMMUNITY COLLEGE DISTRICTS SHALL BE HELD IN ODD-NUMBERED YEARS, TO DELETE OBSOLETE LANGUAGE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-2111, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 33-2715, IDAHO CODE, TO PROVIDE THAT LIBRARY DISTRICT BOARDS OF TRUSTEES SHALL BE ELECTED IN ODD-NUMBERED YEARS FOR TERMS OF SIX YEARS, TO PROVIDE FOR INITIAL APPOINTMENTS OF BOARD MEMBERS, TO PROVIDE FOR TRANSITION OF BOARD MEMBER TERMS TO TERMS OF SIX YEARS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-2716, IDAHO CODE, TO DELETE REFERENCE TO ANNUAL ELECTIONS; AMENDING SECTION 33-2718, IDAHO CODE, TO PROVIDE THAT TRUSTEE ELECTIONS SHALL BE HELD IN ODD-NUMBERED YEARS, TO PROVIDE FOR TRANSITION OF BOARD MEMBER TERMS TO TERMS OF SIX YEARS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 34-106, IDAHO CODE, TO PROVIDE FOR TWO ELECTIONS IN A CALENDAR YEAR ON SPECIFIED DATES, TO PROVIDE THAT COMMUNITY COLLEGE AND SCHOOL DISTRICT ELECTIONS ARE SUBJECT TO THE LIMITATION ON DATES OF ELECTIONS, TO ALLOW SCHOOL DISTRICTS AN ADDITIONAL TWO DATES EACH YEAR ON WHICH ELECTIONS MAY BE HELD, TO REQUIRE BOND, LEVY AND OTHER BALLOT QUESTION ELECTIONS TO BE HELD WITHIN A TIME CERTAIN UNLESS OTHERWISE PROVIDED BY LAW, TO PROVIDE FOR RECALL ELECTIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 34-304, IDAHO CODE, TO REVISE THE LAW RELATING TO CHALLENGERS AND WATCHERS; AMENDING SECTION 34-601, IDAHO CODE, TO MAKE DATE CHANGES; AMENDING SECTION 34-602, IDAHO CODE, TO PROVIDE SPECIFICATIONS REGARDING A PUBLISHED SECOND NOTICE OF ELECTION; AMENDING SECTION 34-1401, IDAHO CODE, TO PROVIDE THAT THE COUNTY CLERK SHALL ADMINISTER ALL ELECTIONS ON BEHALF OF ANY POLITICAL SUBDIVISION, TO SPECIFY POLITICAL SUBDIVISIONS EXEMPT FROM THE PROVISIONS OF THIS SECTION AND TO PROVIDE THAT SCHOOL DISTRICT AND HIGHWAY DISTRICT ELECTIONS SHALL BE CONDUCTED BY THE COUNTY CLERK; AMENDING SECTION 34-1404, IDAHO CODE, TO REVISE DECLARATION OF CANDIDACY PROVISIONS; AMENDING SECTION 34-1405, IDAHO CODE, TO REVISE NOTICE OF ELECTION FILING DEADLINE PROVISIONS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 34-1406, IDAHO CODE, TO PROVIDE SPECIFICATIONS FOR PUBLISHED NOTICES OF ELECTION BY THE COUNTY CLERK; AMENDING CHAPTER 14, TITLE 34, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 34-1411, IDAHO CODE, TO PROVIDE FOR PAYMENT OF ELECTION EXPENSES BY A COUNTY, WITH EXCEPTIONS; AMENDING SECTION 34-2301, IDAHO CODE, TO PROVIDE FOR RECOUNT OF BALLOTS FOR MUNICIPAL OFFICES; AMENDING SECTION 39-1324, IDAHO CODE, TO PROVIDE THAT ELECTIONS OF HOSPITAL DISTRICTS SHALL BE CONDUCTED PURSUANT TO TITLE 34, IDAHO

CODE, TO PROVIDE DUTIES OF THE COUNTY BOARD OF COMMISSIONERS AND COUNTY CLERK AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 39-1325A, IDAHO CODE, TO REVISE DUTIES OF THE COUNTY CLERK AND COUNTY COMMISSIONERS, TO PROVIDE CORRECT TERMINOLOGY AND TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 39-1330, IDAHO CODE, TO PROVIDE FOR BIENNIAL ELECTION OF HOSPITAL DISTRICT BOARD MEMBERS IN MAY, TO PROVIDE DUTIES OF THE COUNTY CLERK AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 39-1339, IDAHO CODE, TO PROVIDE THAT ELECTIONS OF PROPOSED INDEBTEDNESS TO BE INCURRED BY A HOSPITAL DISTRICT SHALL BE CONDUCTED BY THE COUNTY CLERK IN ACCORDANCE WITH THE PROVISIONS OF TITLE 34, IDAHO CODE; AMENDING SECTION 39-1340, IDAHO CODE, TO PROVIDE A DUTY OF THE COUNTY CLERK WITH REGARD TO NOTICES OF HOSPITAL DISTRICT ELECTIONS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 39-1341, IDAHO CODE, TO PROVIDE DUTIES OF THE COUNTY CLERK AND COUNTY COMMISSIONERS IN CONDUCTING HOSPITAL DISTRICT ELECTIONS FOR PROPOSED INDEBTEDNESS IN ACCORDANCE WITH TITLE 34, IDAHO CODE; AMENDING SECTION 40-206, IDAHO CODE, TO REVISE REQUIREMENTS FOR PUBLICATION OF NOTICE; AMENDING SECTION 40-819, IDAHO CODE, TO REVISE HIGHWAY DISTRICT ELECTIONS TO BE CONDUCTED IN ACCORDANCE WITH TITLE 34, IDAHO CODE, TO PROVIDE DUTIES OF THE HIGHWAY DISTRICT COMMISSIONERS AND THE COUNTY CLERK AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 40-1101, IDAHO CODE, TO PROVIDE THAT HIGHWAY DISTRICT ELECTIONS TO AUTHORIZE BONDING SHALL BE CONDUCTED BY THE COUNTY CLERK AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 40-1304, IDAHO CODE, TO PROVIDE THE DATE ON WHICH HIGHWAY DISTRICT COMMISSIONERS SHALL TAKE OFFICE; AMENDING SECTION 40-1305, IDAHO CODE, TO PROVIDE FOR ELECTION OF HIGHWAY DISTRICT COMMISSIONERS ON THE THIRD TUESDAY OF MAY IN ODD-NUMBERED YEARS, TO DELETE OBSOLETE LANGUAGE AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 40-1305A, IDAHO CODE, TO PROVIDE FOR THE ADMINISTRATION OF HIGHWAY DISTRICT ELECTIONS BY THE COUNTY CLERK AND TO PROVIDE FOR SELECTION OF POLLING PLACES BY THE COUNTY COMMISSIONERS; REPEALING SECTION 40-1402, IDAHO CODE, RELATING TO THE COSTS OF HOLDING SPECIAL ELECTIONS; AMENDING SECTION 40-1409, IDAHO CODE, TO PROVIDE THAT ELECTIONS SHALL BE PAID BY THE COUNTY WITHOUT PROVISION FOR PRORATING THE EXPENSE AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 40-1416, IDAHO CODE, TO PROVIDE THAT COSTS OF ELECTIONS HELD TO APPROVE A HIGHWAY DISTRICT VEHICLE REGISTRATION FEE SHALL BE PAID BY THE COUNTY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 40-1418, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 40-1506, IDAHO CODE, TO PROVIDE FOR APPOINTMENT OF ELECTION JUDGES BY THE COUNTY CLERK; AMENDING SECTION 40-1507, IDAHO CODE, TO CLARIFY PROCEDURE FOR NOTICE OF ELECTION

BY THE COUNTY CLERK AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 40-1508, IDAHO CODE, TO CLARIFY PROCEDURE FOR HOLDING ELECTIONS OF CONSOLIDATION OF HIGHWAY DISTRICTS; AMENDING SECTION 40-1511, IDAHO CODE, TO CLARIFY PROCEDURE FOR COUNTING THE VOTES IN AN ELECTION OF CONSOLIDATION OF HIGHWAY DISTRICTS; AMENDING SECTION 40-1519, IDAHO CODE, TO PROVIDE THAT THE EXPENSES OF CONDUCTING AN ELECTION TO CONSOLIDATE HIGHWAY DISTRICTS SHALL BE PAID BY THE COUNTY WITHOUT PROVISION FOR PRORATING THE EXPENSE; AMENDING SECTION 40-1605, IDAHO CODE, TO REQUIRE THAT ELECTIONS BE HELD ON A DATE AUTHORIZED IN SECTION 34-106, IDAHO CODE; AMENDING SECTION 40-1606, IDAHO CODE, TO PROVIDE DUTIES OF THE COUNTY CLERK IN ELECTIONS TO DETACH TERRITORY OF A HIGHWAY DISTRICT; AMENDING SECTION 40-1607, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTIONS 40-1624 AND 40-1625, IDAHO CODE, TO PROVIDE THAT ELECTIONS TO ANNEX CONTIGUOUS TERRITORY OF A HIGHWAY DISTRICT SHALL BE HELD ON A DATE AUTHORIZED IN SECTION 34-106, IDAHO CODE; AMENDING SECTION 40-1626, IDAHO CODE, TO PROVIDE THAT ELECTION DATES TO ANNEX TERRITORY OF A HIGHWAY DISTRICT SHALL BE HELD ON A DATE AUTHORIZED IN SECTION 34-106, IDAHO CODE; AMENDING SECTION 40-1630, IDAHO CODE, TO PROVIDE THAT COSTS OF THE ELECTION SHALL BE PAID BY THE COUNTY OR COUNTIES CONDUCTING THE ELECTION; AMENDING SECTION 40-1702, IDAHO CODE, TO PROVIDE DUTIES OF THE COUNTY CLERK AND THE COUNTY BOARD OF CANVASSERS IN ELECTIONS TO REORGANIZE A COUNTY HIGHWAY DISTRICT AND TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 40-1714, IDAHO CODE, TO PROVIDE THAT THE EXPENSE OF ELECTIONS HELD TO REORGANIZE A COUNTY HIGHWAY DISTRICT SHALL BE PAID BY THE COUNTY; AMENDING SECTION 40-1805, IDAHO CODE, TO PROVIDE THAT AN ELECTION TO DISSOLVE A HIGHWAY DISTRICT SHALL BE HELD ON A DATE AUTHORIZED IN SECTION 34-106, IDAHO CODE; AMENDING SECTION 40-1806, IDAHO CODE, TO PROVIDE DUTIES OF THE COUNTY CLERK AND THE COUNTY COMMISSIONERS IN ELECTIONS HELD TO DISSOLVE A HIGHWAY DISTRICT; AMENDING SECTION 40-1808, IDAHO CODE, TO PROVIDE THAT IN ELECTIONS TO DISSOLVE A HIGHWAY DISTRICT THE COUNTY CLERK SHALL APPOINT ELECTION JUDGES AND CLERKS AND THAT ELECTIONS SHALL BE CONDUCTED IN ACCORDANCE WITH TITLE 34, IDAHO CODE; AMENDING SECTION 40-1809, IDAHO CODE, TO PROVIDE FOR COUNTING AND CANVASSING VOTES IN ELECTIONS TO DISSOLVE A HIGHWAY DISTRICT; AMENDING SECTION 40-1810, IDAHO CODE, TO PROVIDE THAT EXPENSES OF ELECTIONS TO DISSOLVE A HIGHWAY DISTRICT SHALL BE BORNE BY THE COUNTY; AMENDING SECTION 42-3211, IDAHO CODE, TO PROVIDE THE DATE OF ELECTIONS IN WATER AND SEWER DISTRICTS AND TO PROVIDE DUTIES OF THE COUNTY CLERK; REPEALING SECTION 50-211, IDAHO CODE, RELATING TO SUPERVISION OF MUNICIPAL ELECTIONS; AMENDING SECTION 50-402, IDAHO CODE, TO REVISE DEFINITIONS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION

50-403, IDAHO CODE, TO PROVIDE DUTIES OF THE COUNTY CLERK REGARDING MUNICIPAL ELECTIONS; REPEALING SECTIONS 50-404, 50-405, 50-406, 50-407, 50-408, 50-409, 50-410, 50-411 AND 50-412, IDAHO CODE, RELATING TO MUNICIPAL ELECTIONS AS CONDUCTED BY THE CITY CLERK; AMENDING SECTION 50-414, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REVISE REGISTRATION PROVISIONS AND TO PROVIDE A CORRECT CODE REFERENCE; REPEALING SECTIONS 50-415, 50-427 AND 50-428, IDAHO CODE, RELATING TO MUNICIPAL ELECTIONS; AMENDING SECTION 50-429, IDAHO CODE, TO REDESIGNATE THE SECTION, TO PROVIDE AUTHORIZED DATES FOR MUNICIPAL ELECTIONS BEGINNING JANUARY 1, 2011, TO PROVIDE THAT ELECTIONS SHALL BE CONDUCTED BY THE COUNTY CLERK IN ACCORDANCE WITH TITLE 34, IDAHO CODE, AND TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTIONS 50-430 AND 50-431, IDAHO CODE, TO REDESIGNATE THE SECTIONS; AMENDING SECTION 50-432, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 50-435, IDAHO CODE, TO REDESIGNATE THE SECTION; REPEALING SECTIONS 50-436, 50-437, 50-438, 50-439, 50-440, 50-441, 50-442, 50-443, 50-445, 50-446, 50-447, 50-448, 50-449, 50-450, 50-451, 50-452, 50-453, 50-454, 50-455, 50-456, 50-457, 50-458, 50-459, 50-460, 50-461, 50-462, 50-463, 50-464, 50-465 AND 50-466, IDAHO CODE, RELATING TO MUNICIPAL ELECTIONS AS CONDUCTED BY THE CITY CLERK; AMENDING SECTION 50-467, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REVISE PROCEDURES AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 50-468, IDAHO CODE, TO REDESIGNATE THE SECTION; AMENDING SECTIONS 50-469 AND 50-470, IDAHO CODE, TO REDESIGNATE THE SECTIONS; AMENDING SECTION 50-471, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 50-472, IDAHO CODE, TO REDESIGNATE THE SECTION; AMENDING SECTION 50-473, IDAHO CODE, TO REDESIGNATE THE SECTION; REPEALING SECTION 50-474, IDAHO CODE, RELATING TO VOTING BY MACHINE OR VOTE TALLY SYSTEM IN MUNICIPAL ELECTIONS; AMENDING SECTION 50-475, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO PROVIDE FOR APPLICATION OF ELECTION LAW VIOLATIONS TO ALL MUNICIPAL ELECTIONS; AMENDING SECTION 50-477, IDAHO CODE, TO REDESIGNATE THE SECTION; AMENDING SECTION 50-612, IDAHO CODE, TO PROVIDE THAT RUNOFF MUNICIPAL MAYORAL ELECTIONS SHALL BE CONDUCTED BY THE COUNTY CLERK AND TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 50-707B, IDAHO CODE, TO PROVIDE THAT RUNOFF MUNICIPAL COUNCIL SEAT ELECTIONS SHALL BE CONDUCTED BY THE COUNTY CLERK AND TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 50-803, IDAHO CODE, TO PROVIDE AUTHORIZED DATES FOR HOLDING A MUNICIPAL ELECTION TO ADOPT THE COUNCIL-MANAGER PLAN AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 50-806, IDAHO CODE, TO PROVIDE THAT CERTAIN ELECTIONS SHALL BE HELD AT THE SAME ELECTION, TO PROVIDE PROCEDURE UPON FAILURE OF A PROPOSITION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 50-1026, IDAHO

CODE, TO PROVIDE THAT MUNICIPAL ELECTIONS TO AUTHORIZE ISSUANCE OF COUPON BONDS SHALL BE CONDUCTED BY THE COUNTY CLERK ON AUTHORIZED DATES AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 50-1035, IDAHO CODE, TO PROVIDE DUTIES OF THE COUNTY CLERK IN CERTAIN MUNICIPAL ELECTIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 50-2104, IDAHO CODE, TO PROVIDE THAT ELECTIONS TO CONSOLIDATE CITIES SHALL BE HELD ON A DATE AUTHORIZED IN SECTION 50-405, IDAHO CODE; AMENDING SECTION 50-2105, IDAHO CODE, TO REVISE PROVISIONS FOR CONSOLIDATION ELECTIONS; AMENDING SECTION 50-2106, IDAHO CODE, TO PROVIDE FOR CERTIFICATION OF A MUNICIPAL CONSOLIDATION ELECTION BY THE COUNTY CLERK; AMENDING SECTION 50-2107, IDAHO CODE, TO PROVIDE THAT ELECTIONS OF OFFICERS IN A NEWLY CONSOLIDATED CITY SHALL BE HELD ON A DATE AUTHORIZED IN SECTION 50-405, IDAHO CODE; AMENDING SECTION 50-2114, IDAHO CODE, TO PROVIDE THAT EXPENSES OF A MUNICIPAL CONSOLIDATION ELECTION SHALL BE PAID BY THE COUNTY; AMENDING SECTION 50-2201, IDAHO CODE, TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 50-2202, IDAHO CODE, TO REVISE PROCEDURES; AMENDING SECTION 50-2203, IDAHO CODE, TO PROVIDE FOR CANVASS OF VOTES IN ELECTIONS TO DISINCORPORATE A CITY; AMENDING SECTION 50-2204, IDAHO CODE, TO PROVIDE A DUTY OF THE COUNTY BOARD OF COMMISSIONERS IN AN ELECTION TO DISINCORPORATE A CITY; AMENDING SECTION 50-2302, IDAHO CODE, TO PROVIDE THAT AN ELECTION TO ORGANIZE A CITY SHALL BE HELD ON A DATE AUTHORIZED IN SECTION 50-405, IDAHO CODE, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 50-2303, IDAHO CODE, TO PROVIDE DUTIES OF THE COUNTY CLERK IN AN ELECTION TO ORGANIZE A CITY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 50-2308, IDAHO CODE, TO MAKE TECHNICAL CORRECTIONS AND TO DELETE OBSOLETE LANGUAGE; AMENDING SECTION 63-316, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 63-802, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 63-802C, IDAHO CODE, TO PROVIDE THAT ELECTIONS TO CREATE A NEW TAXING DISTRICT SHALL BE HELD ON A DATE AUTHORIZED IN SECTION 34-106, IDAHO CODE, AND TO PROVIDE FOR POSTING OF A BOND TO COVER COSTS OF THE ELECTION; AMENDING SECTION 63-1309, IDAHO CODE, TO PROVIDE THAT THE INTERVAL BETWEEN CERTAIN TYPES OF ELECTIONS IN WHICH THE QUESTION FIRST FAILED AND A SUBSEQUENT ELECTION ON THE SAME OR SIMILAR QUESTION SHALL BE FIVE MONTHS INSTEAD OF SIX MONTHS, TO PROVIDE THAT THE DATE OF SUCH ELECTION SHALL BE HELD ON A DATE AUTHORIZED IN SECTION 34-106, IDAHO CODE, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 63-3638, IDAHO CODE, TO PROVIDE MONETARY DISTRIBUTIONS TO COUNTIES FROM SALES TAX REVENUES TO DEFRAY EXPENSES OF COUNTIES IN CONDUCTING ELECTIONS, TO REQUIRE COUNTIES TO ESTABLISH A SPECIAL ELECTION FUND, TO SPECIFY USE OF REVENUES IN THE FUND, TO REVISE REVENUE SHARING PERCENTAGES GOING TO CITIES AND COUNTIES AND TO PROVIDE CORRECT CODE REFERENCES;

AMENDING SECTION 63-3641, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 63-4103, IDAHO CODE, TO PROVIDE DUTIES OF THE COUNTY COMMISSIONERS AND THE COUNTY CLERK IN ELECTIONS TO DISSOLVE A SPECIAL DISTRICT AND TO DELETE CODE REFERENCES; AMENDING SECTION 67-4907, IDAHO CODE, TO PROVIDE DUTIES OF THE COUNTY CLERK AND THE COUNTY BOARD OF CANVASSERS IN AUDITORIUM DISTRICT ELECTIONS; AMENDING SECTION 67-4911, IDAHO CODE, TO PROVIDE THAT THE BIENNIAL ELECTIONS OF AN AUDITORIUM DISTRICT SHALL BE HELD IN ODD-NUMBERED YEARS, TO PROVIDE DUTIES OF THE COUNTY CLERK AND THE BOARD OF COUNTY COMMISSIONERS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 67-4922, IDAHO CODE, TO PROVIDE THAT ELECTIONS OF AUDITORIUM DISTRICTS SHALL BE CONDUCTED BY THE COUNTY CLERK IN ACCORDANCE WITH THE PROVISIONS OF TITLE 34, IDAHO CODE, TO PROVIDE DUTIES OF THE COUNTY CLERK AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 67-4923, IDAHO CODE, TO PROVIDE THAT NOTICE OF AN AUDITORIUM DISTRICT ELECTION TO AUTHORIZE A LEVY SHALL BE CONDUCTED AS PRESCRIBED IN CHAPTER 14, TITLE 34, IDAHO CODE, AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 67-4924, IDAHO CODE, TO PROVIDE FOR CONDUCTING THE ELECTION AND CANVASSING THE RETURNS OF AN AUDITORIUM DISTRICT ELECTION; AMENDING SECTION 67-4929, IDAHO CODE, TO PROVIDE THAT ELECTIONS TO INCLUDE OR EXCLUDE PROPERTY WITHIN AN AUDITORIUM DISTRICT SHALL BE CONDUCTED BY THE COUNTY CLERK IN ACCORDANCE WITH TITLE 34, IDAHO CODE, TO PROVIDE FOR CANVASS OF VOTES, TO PROVIDE CORRECT TERMINOLOGY AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 67-4930, IDAHO CODE, TO PROVIDE THAT ELECTIONS TO DISSOLVE AN AUDITORIUM DISTRICT SHALL BE CONDUCTED BY THE COUNTY CLERK IN ACCORDANCE WITH TITLE 34, IDAHO CODE, TO PROVIDE FOR CANVASS OF VOTES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 70-1210, IDAHO CODE, TO PROVIDE THAT ELECTIONS OF PORT DISTRICTS SHALL BE CONDUCTED BY THE COUNTY CLERK AND TO DELETE OBSOLETE PROVISIONS; AMENDING SECTION 70-1215, IDAHO CODE, TO PROVIDE THAT ELECTIONS OF PORT DISTRICTS SHALL BE CONDUCTED BY THE COUNTY CLERK; AMENDING SECTION 70-1217, IDAHO CODE, TO PROVIDE DUTIES OF THE COUNTY COMMISSIONERS AND THE COUNTY CLERK IN ELECTIONS OF PORT DISTRICTS; AMENDING SECTION 70-1219, IDAHO CODE, TO PROVIDE FOR CANVASS OF VOTES IN ELECTIONS OF PORT DISTRICTS; AMENDING SECTION 70-1220, IDAHO CODE, TO PROVIDE FOR PAYMENT OF EXPENSES IN PORT DISTRICT ELECTIONS; AND PROVIDING EFFECTIVE DATES AND PROVIDING FOR REPORTS. REPEALING SECTION 40-1402, IDAHO CODE,

H 201 was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

HCR 24, H 14, as amended, H 32, as amended, and H 65, as amended, by State Affairs Committee, were read the second time by title and filed for third reading.

HCR 21, by Environment, Energy, and Technology Committee, was read the second time by title and filed for third reading.

H 101, H 128, and H 129, by Agricultural Affairs Committee, were read the second time by title and filed for third reading.

H 38 and H 44, by Health and Welfare Committee, were read the second time by title and filed for third reading.

H 96, H 155, and H 154, as amended, by Transportation and Defense Committee, were read the second time by title and filed for third reading.

S 1079, by Education Committee, was read the second time by title and filed for third reading.

There being no objection, the House advanced to the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

Mr. Moyle asked unanimous consent that H 157 retain its place on the Third Reading Calendar until Monday, March 2, 2009. There being no objection, it was so ordered.

H 88 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Cronin to open debate.

The question being, "Shall H 88 pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nonini, Palmer, Pasley-Stuart, Pence, Raybould, Ringo, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – None.

Absent and excused – Block, Nielsen, Patrick, Roberts, Shepherd(08), Shirley, Thompson. Total – 7.

Total – 70.

Whereupon the Speaker declared that H 88 passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 89 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Cronin to open debate.

The question being, "Shall [H 89](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nonini, Palmer, Pasley-Stuart, Pence, Raybould, Ringo, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – None.

Absent and excused – Block, Nielsen, Patrick, Roberts, Shepherd(08), Shirley, Thompson. Total – 7.

Total – 70.

Whereupon the Speaker declared that [H 89](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 90](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Gibbs to open debate.

The question being, "Shall [H 90](#) pass?"

Roll call resulted as follows:

AYES – Andrus, Bayer, Bedke, Bell, Bilbao, Black, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, McGeachin, Moyle, Palmer, Pasley-Stuart, Pence, Raybould, Ringo, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Trail, Wood(27), Wood(35), Mr. Speaker. Total – 57.

NAYS – Barrett, Harwood, Mathews. Total – 3.

Absent and excused – Anderson, Block, Nielsen, Nonini, Patrick, Roberts, Shepherd(08), Shirley, Thompson, Wills. Total – 10.

Total – 70.

Whereupon the Speaker declared that [H 90](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 91](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Jarvis to open debate.

The question being, "Shall [H 91](#) pass?"

Roll call resulted as follows:

AYES – Bayer, Bell, Bilbao, Black, Boe, Bolz, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Mathews, Pasley-Stuart, Pence, Ringo, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Smith(30), Smith(24), Stevenson, Takasugi, Trail, Wood(27), Mr. Speaker. Total – 38.

NAYS – Andrus, Barrett, Bedke, Boyle, Clark, Hagedorn, Hart, Hartgen, Harwood, Kren, Labrador, Lake, Loertscher,

Luker, Marriott, McGeachin, Moyle, Palmer, Raybould, Simpson, Thayn, Wood(35). Total – 22.

Absent and excused – Anderson, Block, Nielsen, Nonini, Patrick, Roberts, Shepherd(08), Shirley, Thompson, Wills. Total – 10.

Total – 70.

Whereupon the Speaker declared that [H 91](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that [H 92](#) retain its place on the Third Reading Calendar for one legislative day. There being no objection, it was so ordered.

[H 109](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Collins to open debate.

The question being, "Shall [H 109](#) pass?"

Roll call resulted as follows:

AYES – Andrus, Bayer, Bedke, Bell, Bilbao, Black, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Luker, Marriott, Mathews, McGeachin, Moyle, Palmer, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Trail, Wood(27), Mr. Speaker. Total – 58.

NAYS – Barrett, Loertscher, Wood(35). Total – 3.

Absent and excused – Anderson, Block, Nielsen, Nonini, Patrick, Shepherd(08), Shirley, Thompson, Wills. Total – 9.

Total – 70.

Whereupon the Speaker declared that [H 109](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 59](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. McGeachin to open debate.

The question being, "Shall [H 59](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nonini, Palmer, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 64.

NAYS – None.

Absent and excused – Block, Nielsen, Patrick, Shepherd(08), Shirley, Thompson. Total – 6.

Total – 70.

Whereupon the Speaker declared that [H 59](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 60](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Killen to open debate.

The question being, "Shall [H 60](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bell, Bilbao, Black, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nonini, Palmer, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – None.

Absent and excused – Bedke, Block, Nielsen, Patrick, Shepherd(08), Shirley, Thompson. Total – 7.
Total – 70.

Whereupon the Speaker declared that [H 60](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 70](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Clark to open debate.

The question being, "Shall [H 70](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bell, Bilbao, Black, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nonini, Palmer, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Simpson, Smith(30), Smith(24), Stevenson, Takasugi, Thayn, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – None.

Absent and excused – Bedke, Block, Nielsen, Patrick, Shepherd(08), Shirley, Thompson. Total – 7.
Total – 70.

Whereupon the Speaker declared that [H 70](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 71](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Burgoyne to open debate.

The question being, "Shall [H 71](#) pass?"

Roll call resulted as follows:

AYES – Bedke, Black, Boe, Bolz, Burgoyne, Chavez, Chew, Clark, Crane, Cronin, Gibbs, Higgins, Jaquet, Killen, King, Lake, McGeachin, Nielsen, Pasley-Stuart, Pence, Ringo, Roberts, Ruchti, Rusche, Saylor, Shepherd(02), Smith(30), Smith(24), Stevenson, Takasugi, Trail, Wills, Wood(27). Total – 33.

NAYS – Anderson, Andrus, Barrett, Bayer, Bell, Bilbao, Boyle, Chadderdon, Collins, Durst, Eskridge, Hagedorn, Hart, Hartgen, Harwood, Henderson, Jarvis, Kren, Labrador, Loertscher, Luker, Marriott, Mathews, Moyle, Nonini, Palmer, Raybould, Schaefer, Shepherd(08), Simpson, Thayn, Thompson, Wood(35), Mr. Speaker. Total – 34.

Absent and excused – Block, Patrick, Shirley. Total – 3.

Total – 70.

Whereupon the Speaker declared that [H 71](#) failed to pass the House and ordered the bill filed in the office of the Chief Clerk.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

Adjournment

Mr. Moyle moved that the House adjourn until 9 a.m., Friday, February 27, 2009. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 12:06 p.m.

LAWERENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk